

# Exhibit A

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

**RENEE ZINSKY,**

Civil Action No. 2:22-cv-547(MJH)

Plaintiff,

The Honorable Marilyn J. Horan

v.

**MICHAEL RUSSIN, RUSSIN  
FINANCIAL, RUSSIN GROUP, SIMON  
ARIAS, III, ARIAS AGENCIES, S.A.  
ARIAS HOLDINGS, LLC, AMERICAN  
INCOME LIFE INSURANCE COMPANY,**

ELECTRONICALLY FILED

Defendants.

**DECLARATION OF JEFFREY HAMMER IN SUPPORT OF  
AMERICAN INCOME LIFE INSURANCE COMPANY'S  
MOTION TO CONFIRM ARBITRATION AWARD**

Jeffrey Hammer, under the pains and penalties of perjury, states:

1. I am an attorney admitted to practice in the State of California. I am an attorney at King & Spalding LLP, counsel for Defendant American Income Life Insurance Company ("AIL"), and am admitted *Pro Hac Vice* in the above-referenced matter. I submit this declaration in support of AIL's Motion to Confirm Arbitration Award. I have personal knowledge of the facts stated herein, and could and would testify competently thereto if called as a witness in this matter.

2. On July 22, 2022, this Court compelled arbitration as to all claims related to AIL and Simon Arias, Arias Agencies, S.A. Arias Holdings, LLC ("Arias Defendants"). (Dkt. No. 37.) On September 27, 2022, Plaintiff Renee Zinsky filed a Demand for Arbitration ("Demand") against AIL and the Arias Defendants initiating American Arbitration Association Case Number 01-22-0004-0849 (the "Arbitration").

3. In her Demand, Plaintiff brought the following claims:

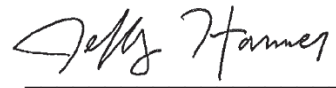
(1) Intentional violation of the Fair Labor Standards Act (29 U.S.C. § 201, *et seq.*); (2) Intentional violation of the Fair Labor Standards

Act, Failure to Maintain Required Records (29 C.F.R. § 516, *et seq.*) (3) Violation of the Pennsylvania Minimum Wage Act of 1968 (“PMWA”) (43 P.S. § 333.104(c) and 34 Pa. Code § 231.41); (4) Violation of the Pennsylvania Wage Payment and Collection Law (“WPCL”) (43 P.S. § 260.3); (5) Unjust Enrichment; (6) Breach of Contract - Failure to Act in Good Faith; (7) Declaratory Relief – Rescission of Agent Contract; (8) Violation of Title VII of the Civil Rights Act of 1964 (Title VII) and the Pennsylvania Human Relations Act (“PHRA”), Gender Discrimination; (9) Violation of Title VII and the PHRA, Sexual Harassment; (10) Violation of Title VII and the PHRA, Retaliation; (11) Negligent Hiring<sup>1</sup>; (12) Negligent Retention; (13) Intentional Infliction of Emotional Distress.

4. On November 18, 2022, Claimant filed an Amended Demand making additional claims for defamation, intrusion upon seclusion, sexual assault, battery, and false imprisonment based upon Defendant Michael Russin’s alleged conduct.

5. On March 4, 2024, the Panel issued its “Final Order” in the Arbitration. A true and correct copy of that Final Order is attached hereto as **Exhibit A**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration was signed on March 12, 2023 in Pasadena, California.

  
\_\_\_\_\_  
Jeffrey Hammer

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<sup>1</sup> This claim was not pled against AIL.

# Exhibit A

**AMERICAN ARBITRATION ASSOCIATION**

|  |   |                     |
|--|---|---------------------|
| <b>Renee Zinsky,</b>                           | ) |                     |
|  | ) |                     |
| Claimant,                                      | ) | No. 01-22-0004-0849 |
|  | ) |                     |
| vs.  | ) |                     |
|  | ) |                     |
| <b>Arias Agencies, et al.,</b>                 | ) |                     |
|  | ) |                     |
| Respondent,                                    | ) |                     |
|  | ) |                     |
| vs.  | ) |                     |
|  | ) |                     |
| <b>American Income Life Insurance Company,</b> | ) |                     |
|  | ) |                     |
| Respondent.                                    | ) |                     |

**FINAL ORDER**

WE, THE UNDERSIGNED ARBITRATORS, having been designated in accordance with the Agent Contract ("Agreement") entered by Claimant Renee Zinsky ("Claimant") on August 20, 2021 and signed by Simon Arias, III, on behalf of Respondent Arias Agencies, LLC ("Respondent Arias"), and the case being administered pursuant to the Large Complex procedures of the Commercial Arbitration Rules of the American Arbitration Association ("AAA"), hereby issues this Final Order.

At 10:37pm on Sunday March 3, 2024, the night before the hearing, scheduled to commence on March 4, 2024 at 9:30am, Claimant's counsel sent an e-mail purporting to withdraw all of Claimant's claims. The Panel directed all parties to appear for the hearing as scheduled. On the morning of March 4, Claimant's counsel (attorneys Amy Williamson of Williamson Law, and John Kane, Janice Savinis, and Michael Gallucci of Savinis, Kane, and Gallucci, LLC) appeared for Claimant by telephone. Appearing in person were Simon Arias for Respondent Arias Agencies ("Arias"), Jean Novak and Erica Laughlin of Strassburger, McKenna,

Gutnik & Gefsky as counsel for Respondent Arias, Corey Herrick for Respondent American Income Life Insurance Company ("AIL"), and Jeffrey Hammer, Anne Dana and James Unger of King & Spalding International LLP as counsel for AIL. After an extensive discussion on the record, Claimant's counsel: confirmed they are dismissing all of Claimant's claims (both pending and previously dismissed) with prejudice; that they have authority from Claimant to do so; and, that Claimant understands and agrees that a dismissal with prejudice will have Preclusive Effect.

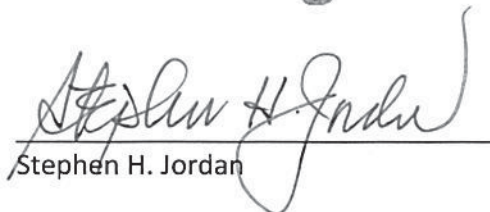
Accordingly, the Panel hereby **dismisses this case with prejudice**. Pursuant to law and the Agreement, this Final Order is "final and binding on the Parties and their beneficiaries, successors, assigns, or anyone claiming an interest in the Contract."

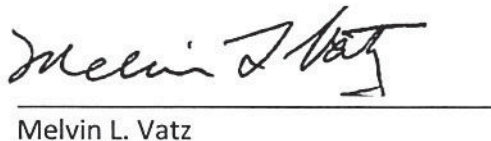
Each party will bear their own fees and costs.

**IT IS SO ORDERED** this 4<sup>th</sup> day of March 2024.

**Arbitrators**

  
Carole Katz, Chair

  
Stephen H. Jordan

  
Melvin L. Vatz